

MAR 11 2004

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DATE: March 11, 2005

TO: Examiner Gerald R. Ewoldt
TC Art Unit: 1644

Fax No.: (703) 872-9306

FROM: Holliday C. Heine, Ph.D.

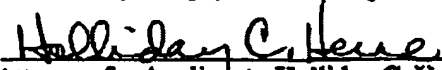
No. of pages transmitted
(including this page): 2

Our File: ERIZY-114AX

Time:

Your Ref: Application No. 09/912,670
Filed Date: July 23, 2001
Confirmation No.: 6394

Sent by: Rose

A confirmation copy of this transmission will not be mailed unless the following is checked: []
MESSAGEPLEASE DELIVER DIRECTLY TO:
EXAMINER GERALD R. EWOLDT, Tel. (703) 308-9805
TC ART UNIT NO: 1644**FOR ENTRY**Enclosed for filing please find: Notice of Appeal
Request for 3 months Extension of Time and
Authorization to charge costs of same to the
Deposit AccountThe Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional
filing fees associated with this communication or credit any overpayment.
Attorney for Applicant: Holliday C. Heine, Ph.D.
Registration No. 34,346

318586-1

THIS MESSAGE MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION INTENDED ONLY
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INTENDED RECIPIENT(S). THANK YOU.

Rev 09/03

Application: 09/912,670
Filed: July 23, 2001
TC Art Unit: 1644
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WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP
Ten Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

Date: March 11, 2005

Attorney
Docket No.: ERI-114AX

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: Andrew W. Taylor et al.

Entitled: ACTIVATION OF REGULATORY T-CELLS BY ALPHA-MELANOCYTE STIMULATING HORMONE

VIA FACSIMILE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated September 27, 2004 of the Examiner finally rejecting claims 24, 42 and 43.

Authorization is provided herewith to charge Deposit Account No. 23-0804 in the amount of \$250.00 to cover the Notice of Appeal fee.

The following checked items are appropriate:

A timely response to the final rejection:

☐ has been filed ☐ is hereby filed

An extension of time to respond to the final rejection:

1. ☐ was requested on _____ for _____ month(s);
 2. ☒ is hereby requested for 3 month(s) authorization is provided herewith to charge Deposit Account No. 23-0804 in the amount of \$510.00 for the extension fee.
 3. ☐ is included on the enclosed amendment transmittal form along with a check in the amount of \$_____ for the extension fee.
- ☐ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being transmitted by facsimile to: Examiner Gerald R. Edvoldt at (703) 872 9306 on March 11, 2005.

RCH/raw 318585-1

Holliday C. Heine
Attorney of Record: Holliday C. Heine, Ph.D.
Registration No.: 34,346